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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,475	12/14/2001	Barbir Abdulkader	0888511US	1022
26123	7590	07/25/2006	EXAMINER	
BORDEN LADNER GERVAIS LLP WORLD EXCHANGE PLAZA 100 QUEEN STREET SUITE 1100 OTTAWA, ON K1P 1J9 CANADA			AVERY, JEREMIAH L	
			ART UNIT	PAPER NUMBER
			2131	
DATE MAILED: 07/25/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.



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25096 7590 12/12/2005

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EXAMINER

AVERY, JEREMIAH L

ART UNIT

PAPER NUMBER

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DATE MAILED: 12/12/2005

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**Office Action Summary**

Application No.

10/014,475

Applicant(s)

ABDULKADER, BARBIR

Examiner

Jeremiah Avery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12/14/01.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 4, 5 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>113005</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-13 have been examined.

***Claim Objections***

1. Claims 4 and 5 are objected to because of the following informalities: missing punctuation. At the end of each of the respective claims, a period (.) is missing. Appropriate correction is required.
2. Claim 8 is objected to because of the following informalities: readability issue. The phrase "said included said states" hinders the readability of this claim. The examiner respectfully suggests the removal of one of the instances of "said" in this claim for better clarity and readability. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 3 recites the limitation "said second one-way hash function" in line 5 of said claim (line 18 on page). There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent No. 5,953,419 to Lohstroh et al., hereinafter Lohstroh.

5. Regarding claim 1, Lohstroh discloses a packet transmission system comprising:  
a transmitting device for incorporating a sequence field containing a pseudo-random value in data packets (Figure 7, column 5, lines 8-12 and 33-35, column 10, lines 32-36, column 14, lines 61-67, column 15, lines 1-11, column 20, lines 37-67, column 25, lines 41-67, column 26, lines 27-34 and 49-67 and column 27, lines 1-4 and 57-65);  
a receiving device for checking said pseudo-random value in said sequence field of said data packets, thereby permitting said receiving device to determine whether said data was sent by said transmitting device and whether the correct sequence of said data packets was maintained (column 11, lines 28-44, column 14, lines 61-67, column 15, lines 1-11, column 20, lines 37-67, column 25, lines 41-67, column 26, lines 27-34 and 49-67 and column 27, lines 1-4 and 57-65).

6. Regarding claim 2, Lohstroh discloses in which said transmitting device further comprises:  
a transform function operating on said data using states (column 2, lines 39-44 and 63-65 and column 22, lines 36-44);

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means to include said states of said transform function as said pseudo-random value in the said sequence field of said packet to be transmitted over said transmission medium (column 11, lines 28-44 and column 15, lines 8-11).

7. Regarding claim 3, Lohstroh discloses in which said receiving device further comprises: a second transform function using states (column 5, lines 13-23 and 28-31, column 6, lines 41-49, column 9, lines 6 and 7, lines 33-36, column 17, lines 10-25 and 37-44 and column 27, lines 15-19);

means to compare said states of said transform function contained in said sequence field of said packet received over said transmission medium with result of said second one-way hash function when used to encode said states of said second transform function, thereby permitting said receiving device to be assured that said packet was sent by said transmitting device (column 12, lines 50-65, column 15, lines 47-59, column 17, lines 64-67, column 18, lines 1-4 and 59-67 and column 19, lines 1-3).

8. Regarding claim 4, Lohstroh discloses in which said transmitting device further includes a one-way hash function to encode said states of said transform function (column 18, lines 59-67 and column 19, lines 1-3).

9. Regarding claim 5, Lohstroh discloses in which said receiving device further includes a second one-way hash function to encode said states of said second transform function (column 18, lines 59-67 and column 19, lines 1-3, "reapplying").

10. Regarding claim 6, Lohstroh discloses wherein said transform function and said second transform function are identical, thereby ensuring simpler matching of said

states (column 5, lines 13-23 and 28-31, column 6, lines 41-49, column 9, lines 6 and 7, lines 33-36, column 17, lines 10-25 and 37-44 and column 27, lines 15-19).

11. Regarding claim 7, Lohstroh discloses wherein said one-way hash function and said second one-way hash function are identical, thereby ensuring simpler matching of said states (column 18, lines 59-67 and column 19, lines 1-3, "reapplying").

12. Regarding claim 8, Lohstroh discloses wherein the length of said included said states is varied to match the system needs, thereby allowing some savings in message overhead where said length is less than that assigned in existing protocols (column 11, lines 1-33, column 15, lines 26-31, column 16, lines 26-40 and column 17, lines 27-33).

13. Regarding claim 9, Lohstroh discloses wherein said transform and said second transform are any algorithm using states in their implementation (column 2, lines 39-44, column 7, lines 10-15 and 21-30, column 8, lines 56-67 and column 9, lines 1-7).

14. Regarding claim 10, Lohstroh discloses wherein said transform and said second transform are encryption algorithms (column 7, lines 10-15 and 21-30, column 8, lines 56-67 and column 9, lines 1-7).

15. Regarding claim 11, Lohstroh discloses wherein said transform and said second transform are compression algorithms (column 16, lines 42-52).

16. Regarding claim 12, Lohstroh discloses wherein said state values are used to confirm synchronisation of encryption keys (Figure 1B, column 2, lines 63-65, column 4, lines 43-46, column 6, lines 33-49 and column 19, lines 36-42).

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17. Regarding claim 13, Lohstroh discloses wherein said state values are further used to confirm other aspects of the operation of said encryption algorithms (column 6, lines 41-49, column 8, lines 56-67 and column 9, lines 1-7).

***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

19. The following United States Patent is cited to further show the state of the art with respect to communication security:

United States Patent No. 6,236,981 to Hill which is cited to show creating secure online transactions.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremiah Avery whose telephone number is (571) 272-8627. The examiner can normally be reached on Monday thru Friday 8:30am-5pm.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JLA

*CEL*  
Primary Examiner  
AU 2131  
12/10/05